

Exhibit II

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**LAERTHA BANKS and ARIA
LAMBERT, Each individually and on
Behalf of All Others Similarly Situated**

PLAINTIFFS

V. CASE NO. 4:21CV00429 JM

**CENTENE MANAGEMENT COMPANY LLC
And CENTENE CORPORATION**

DEFENDANTS

ORDER

Pending are the Defendants' motion to deny conditional certification and dismiss the FLSA Collective Claim, docket # 15 and the Plaintiffs' motion for leave to file an amended complaint, docket # 21.

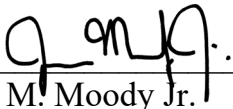
On September 3, 2021 the parties submitted their joint Rule 26(f) report in which they agreed to a deadline of January 7, 2022¹ for the Plaintiffs to move for class certification. The Court's final scheduling order entered November 30, 2021 is silent as to a deadline to file a motion for conditional class. Where the scheduling order is silent as to an agreed deadline, the Court will enforce the agreement of the parties. Plaintiffs failed to file their motion for conditional certification on or before the agreed deadline of January 7, 2022. Accordingly, the Defendants' motion to dismiss the FLSA collective claim is GRANTED.

Although Plaintiffs may file amended pleadings and add parties up to and

¹ The Joint Rule 26(f) report filed September 3, 2021 actually states the agreed deadline to file motions for class certification as **January 3, 2021**, a clear typographical error.

including September 9, 2022, Plaintiffs' proposed Amended Complaint also adds collective claims. Accordingly, Plaintiffs' motion to file an amended complaint is DENIED

IT IS SO ORDERED, this 23rd day of March, 2022.



James M. Moody Jr.
United States District Judge